

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

LEONARD LICHT, ZHENGJUN CAI,
HENRY CHEN, DANIEL CHANG,
DOMINIC CHOW, CHENGGUO DONG,
IHAB W. FRANCIS, JOHN GORDON,
DALTON GREEN, MICHAEL GRILLI,
IRAKLIS KARABASSIS, NADER
LOBANDI, JAMES MOSKWA, ANH
NGUYEN, BRIAN ROTHaus,
GORDON SHAYLOR, RICHARD
SLAVANT, NATHANIAL THRAILKILL,
JACK YAO, and JUN ZHAI,

No. 1:24-cv-10447-NMG

Plaintiffs,

v.

BINANCE HOLDINGS LIMITED, d/b/a
BINANCE.COM, BAM TRADING
SERVICES, INC., d/b/a BINANCE.US, and
CHANGPENG ZHAO,

Defendants.

**JOINT MOTION TO ENTER STIPULATION REGARDING
DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

Plaintiffs and Defendants (a “Party” or the “Parties”) jointly move the Court to enter the stipulation attached as **Exhibit 1** (“Stipulation”) that (1) sets a briefing schedule for Defendants’ forthcoming joint motion to dismiss the Second Amended Complaint (“SAC”) and (2) enlarges the page limit for the memorandum of law in support of Defendants’ motion to dismiss the SAC to 35 pages. In support of this motion, the Parties state:

1. On February 23, 2024, Plaintiff Leonard Licht filed the original Complaint in this case. *See* Dkt. No. 1.

2. On May 1, 2024, additional plaintiffs were added to the case, and they filed the First Amended Complaint (“FAC”). *See* Dkt. No. 36.

3. On June 7, 2024, the Court entered an order setting a briefing schedule for Defendants’ joint motion to dismiss the FAC and setting the following page limits: 35 pages for each Defendants’ memorandum of law in support of the motion to dismiss and Plaintiffs’ opposition, and 20 pages for Defendants’ reply. *See* Dkt. No. 50.

4. On June 28, 2024, Defendants filed a joint motion to dismiss the FAC. *See* Dkt. No. 55. On August 16, 2024, Plaintiffs opposed the motion to dismiss. *See* Dkt. No. 57. On September 13, 2024, Defendants filed a reply brief. *See* Dkt. No. 61.

5. Also on September 13, 2024, the Court referred the case to Magistrate Judge Kelley for a report and recommendation on Defendants’ motion to dismiss (“R&R”). *See* Dkt. No. 60.

6. On February 5, 2025, Magistrate Judge Kelley issued an R&R that recommended dismissing Defendant BAM Trading Services, Inc. (“BAM”) for lack of personal jurisdiction and dismissing all claims against Defendants Binance Holdings Limited (“BHL”) and Changpeng Zhao (“Mr. Zhao”) for failure to state a claim. *See* Dkt. No. 71.

7. On February 19, 2025, Plaintiffs, BHL, and Mr. Zhao filed the following:

- a. Plaintiffs filed an objection to the R&R and a motion for leave to file the SAC. *See* Dkt. Nos. 74–75.
- b. Defendants BHL and Mr. Zhao filed a joint objection to the R&R. *See* Dkt. No. 73.

8. On February 26, 2025, the Court accepted and adopted the R&R and granted Plaintiffs’ motion for leave to file the SAC. *See* Dkt. Nos. 77–78.

9. Later that day, Plaintiffs filed the SAC. *See* Dkt. No. 79.

10. The current deadline for Defendants to respond to the SAC is March 12, 2025. *See* Fed. R. Civ. P. 15(a)(3).

11. Defendants intend to jointly move to dismiss the SAC.

12. On February 27 and 28, 2025, the Parties' counsel conferred regarding Defendants' forthcoming motion to dismiss the SAC and agreed to the following briefing schedule:

Date	Event
March 28, 2025	Defendants' deadline to move to dismiss the SAC
April 18, 2025	Plaintiffs' deadline to file an opposition to Defendants' motion to dismiss
May 9, 2025	Defendants' deadline to file a reply in support of the motion to dismiss

13. Defendants hereby request the same page limitations as the Court ordered in connection with the Defendants' motion to dismiss the FAC. *See* Dkt. No. 50; *see also* ¶ 3 above. Specifically, Defendants request:

- a. an enlargement of page limit for the memorandum of law in support of their motion to dismiss to 35 pages, and
- b. leave to file a reply brief of no more than 20 pages.

14. Plaintiffs take no position on Defendants' request to enlarge the page limit for the memorandum of law in support of their motion to dismiss.

15. At this time, Plaintiffs are not seeking an enlargement of the page limit for their opposition to Defendants' motion to dismiss the SAC. Plaintiffs reserve the right to move to enlarge the page limit for their opposition.

16. No Party will be prejudiced by the briefing schedule set forth above or by an enlargement of the page limit for Defendant's motion to dismiss brief to 35 pages.

17. The deadlines for Defendants to respond to the original Complaint and the FAC were each extended once.

18. An extension of the deadline for Defendants to respond to the SAC has not previously been sought.

WHEREFORE, the Parties respectfully request that the Court enter the Stipulation attached as **Exhibit 1**.

Dated: March 5, 2025

Respectfully submitted,

/s/ Aaron M. Katz

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